

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTIETH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 26, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon.
Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

ABSENT

Hollis	Marionneaux
Total - 2	

The President of the Senate announced there were 35 Senators
present and a quorum.

Prayer

The prayer was offered by Pastor Jonathan Samuel, following
which the Senate joined in pledging allegiance to the flag of the
United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was
dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

The following messages from the Governor were received and
read as follows:

STATE OF LOUISIANA
Office of the Governor

May 26, 2005

To the Honorable President of the Senate:

Please be advised that the following individuals have been
commissioned as Notaries Public for the parishes indicated through
4-16-05 to 5-19-05. In compliance with Article IV, Section 5 (H)(3)
of the Louisiana Constitution of 1974, I hereby present them for your
review.

Appreciatively,
KATHLEEN BABINEAUX BLANCO
Governor

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May 26, 2005

20th DAY'S PROCEEDINGS

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Privilege Report of the Legislative Bureau

May 26, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 8— BY REPRESENTATIVE RITCHIE AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Bogalusa; to increase the jurisdictional amount in dispute in the City Court of Bogalusa; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 16— BY REPRESENTATIVE FARRAR AND SENATOR MCPHERSON AN ACT

To amend and reenact R.S. 14:32.1(A)(4), relative to vehicular homicide; to delete the requirement that the operator of a vehicle flee the scene of the accident as an element of the crime of vehicular homicide; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 17— BY REPRESENTATIVES T. POWELL, BRUCE, BURRELL, CRAVINS, MARTINY, JANE SMITH, TRICHE, WHITE, AND WOOTON AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1, relative to time limitations for prosecuting certain sex offenses; to amend the time limitations for instituting prosecutions for certain sex offenses involving a victim under the age of seventeen years; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 20— BY REPRESENTATIVES STRAIN AND SCHNEIDER AN ACT

To enact R.S. 40:989.1, relative to controlled dangerous substances; to create the crime of the unlawful production, manufacture, distribution, or possession of a material, compound, mixture, or preparation intended for human consumption which contains a hallucinogenic plant; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 20 by Representative Strain

AMENDMENT NO. 1

On page 2, line 13, at the beginning of the line change "(2)" to "(4)" and on line 21, at the beginning of the line change "(3)" to "(5)" and move lines 13 through 22 to follow line 11 on page 4

AMENDMENT NO. 2

On page 2, line 23, at the beginning of the line change "(4)" to "(2)"

AMENDMENT NO. 3

On page 4, line 5, change "(5)" to "(3)"

HOUSE BILL NO. 27— BY REPRESENTATIVE GEYMAN AN ACT

To To amend and reenact R.S. 33:2201(B)(16), relative to financial security for surviving spouses and children of law enforcement officers; to include constables of justice of the peace courts and their deputies as law enforcement officers for purposes of benefit payments to survivors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 32—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2), relative to hearing officers; to provide for the acceptance of agreements reached in court-ordered mediation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 44—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 13:3886(B)(1), relative to fees charged by the sheriff for issuance of notice of seizure on specific immovable property or fixtures located thereon; to increase the fees for notice given by mail; to increase the fees for service of the notice; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 81—
BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 28:53.2(B)(5), relative to an order for custody; to provide for the contents of the order; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 126—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:1448.1(A), (B)(introductory paragraph), (C)(1) and (2), (D), (E), and (G)(1) and (2), relative to the Bossier Parish Retired Employees Insurance Fund; to provide relative to eligible retired sheriffs and retired deputy sheriffs; to increase the total amount of principal and earnings in the Bossier Parish Retired Employees Insurance Fund; to provide for the limitations on withdrawal and appropriation of monies; to provide for limitations on equity and fixed income investments; to provide for the membership and election of the investment advisory board and the filling of vacancies thereon; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 172—
BY REPRESENTATIVES ROMERO AND FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Articles 4911(A) and 4912(A)(1) and (B), relative to jurisdiction of justice of the peace courts; to increase the jurisdictional amount in dispute in civil matters; to increase the jurisdictional amount in dispute in possession or ownership of movable property; to increase the jurisdictional amount in dispute in eviction proceedings of occupants or tenants of leased commercial premises and leased farmlands; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 185—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 1:55(E)(1)(e), relative to legal holidays for clerks of court in Vermilion Parish; to require the clerk of court of the Fifteenth Judicial District Court and the clerk of court for the City Court of Abbeville in Vermilion Parish to close their offices in observance of the Cattle Festival; to provide for an exception; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 214—
BY REPRESENTATIVE GALLOT
AN ACT

To enact Title XXII-A of Book III of the Civil Code, consisting of Civil Code Articles 3338 through 3368; and R.S. 44:77 through 80, 111 through 119, and 171; to amend and reenact Civil Code Articles 517, 1554, 2021, 2035, 2442, and 3337; Code of Civil Procedure Articles 3752 and 4362; R.S. 9:4833 and 4834; R.S. 13:901; and R.S. 44:71, 72, 73, 75, and 131; to repeal Civil Code Articles 3308, 3309, 3310, 3314, 3320(A) and (B), 3321 through 3324, and 3327 through 3336; R.S. 9:2371(A) and (B), 2721(A), 2721.1, 2722, 2728, 2733, 2741 through 2757, 5141, 5161, 5162, 5165, 5166, 5167(A) through (D), 5168 through 5207, 5214 through 5216, 5502, and 5556; R.S. 13:752 through 755, 913, and 3727; R.S. 35:17; and R.S. 44:76, 102 and 103, 132 through 136, 138, 162, 163, 202, 203, 232, 232.1, 233, and 268; and to redesignate R.S. 9:2731 as R.S. 31:216 and R.S. 9:2732 as R.S. 31:217, all relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to provide for the rules relative to the recordation of documents affecting immovable property; to provide for the duties and liability of the recorders; to provide for the effect of recordation as to third persons; to provide the limits to the effect of recordation and for matters not of record; to provide for the recordation of duplicate documents; to provide for the place of recordation; to provide for the stamping of documents by the recorder, the failure to endorse, and the presumption as to time of filing; to provide for the effect of ancient documents; to provide for information required to be in recorded acts and the effect of omissions; to provide for the cancellation of mortgages and liability for incorrect or false requests for cancellation; to provide for the recordation of transfers, amendments, and releases; to provide for the method and duration of the recordation of mortgages and the method of reinscription; to provide for the vendor's privilege and mortgage protecting the interest of a minor; to provide for the reinscription of notices of contract; to provide for the requirements for indexing names by the recorders; to provide for the office of mortgages and conveyances and for the establishment of branch offices; to provide for limitations of liability of the clerk and for insurance against liability; to provide for certified copies of records and their effect, recordation of notice of lease, certificate of encumbrances, and recordation of military discharge papers; to provide for the effect of an order of discharge in bankruptcy on recorded acts; to provide for the method of establishing the authenticity of documents; to provide for actions against the recorder; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 258—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 13:1336(D) and 1338, relative to the jurisdiction of the Criminal District Court for the Parish of Orleans; to provide for commitment jurisdiction of the court when the criminal court determines a mentally defective defendant is incapable of standing trial, is a danger to himself or others, and is unlikely in the foreseeable future to be capable of standing trial; to provide for the transfer of all pending cases filed in the Civil District Court for the Parish of Orleans; to provide for an order of transfer; to provide for delivery of the records; to grant the criminal sheriff for the Criminal District Court for the Parish of Orleans the authority to make service and return of court processes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 276—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:72.4, relative to disposal of property with fraudulent intent; to create and define the crime of disposal of

property with fraudulent intent; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 278—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 9:2795.4(A)(3), (4)(a), and (6), relative to the limitation of liability for motorized off-road activities; to revise the definitions of "motorized off-road vehicles", "motorized off-road vehicle activity", and "motorized off-road vehicle facility"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 281—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 13:3714, relative to the admissibility of blood alcohol concentration (BAC) test reports; to provide for the admissibility of certified copies of BAC test reports of the state police crime laboratory in civil actions; to provide for cross-examination by the party against whom the report is sought to be used; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 282—
BY REPRESENTATIVE GEYMAN
AN ACT

To enact R.S. 44:9(A)(3)(c), relative to the expungement of juvenile records; to provide for an exemption from payment of processing fees in certain juvenile cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 298—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Lafourche Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 308—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact Civil Code Article 3549, relative to conflict of laws; to provide for the applicability of law governing prescription and peremption; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 308 by Representative Bowler

AMENDMENT NO. 1
On page 1, line 9, at the beginning of the line insert "A."

AMENDMENT NO. 2
On page 1, line 12, at the beginning of the line insert "B."

AMENDMENT NO. 3
On page 2, line 3, at the beginning of the line insert "C."

HOUSE BILL NO. 388—
BY REPRESENTATIVES FANNIN, MCDONALD, THOMPSON, AND
WALSORTH AND SENATOR KOSTELKA
AN ACT

To amend and reenact R.S. 38:3097.2(1) through (4), 3097.3(C)(5), and 3097.6, relative to ground water management; to provide for definitions; to provide for powers and duties of the commissioner of conservation; to provide for determination of areas of ground water concern and critical areas of ground water concern; to provide for applications under current consideration and declared critical ground water areas; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 422—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 14:35.1 and to enact R.S. 14:38.3, relative to crimes committed against child welfare workers; to change the crime of simple battery of a child welfare worker to battery of a child welfare worker; to provide for increased penalties for battery of a child welfare worker; to provide for definitions; to enact the crime of assault on a child welfare worker; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 453—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:301(B)(12), 308(B)(1) and (C), and 311(H)(1) and (3) and (K)(4) and to enact R.S. 27:3(24), 15(F) and (G), 308(B)(3), 308.1, 308.2, and 311(H)(5), relative to penalties for violations of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for civil penalties; to provide for the adoption of rules; to provide for a penalty schedule; to provide for the authority of the gaming control board regarding suspension and revocation of video draw poker licenses and permits; to provide for a maximum penalty for violations of statutes and rules; to provide for a maximum period of suspension of a video draw poker license or permit; to provide for penalties for failure to submit the annual fee; to define repeated violations and violations; to provide for consent agreements or settlements between licensees or permittees and the state; to clarify which processing fees for new applications and licensing apply to certain licensed establishments; to establish a processing fee for stock or membership sales or transfers of fifty percent or more of a licensed corporation or limited liability company; to provide for legislative intent; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 465—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 4133, relative to the special mortgage furnished by a tutor; to provide for inclusion of the minor's date of birth; to provide for validity of mortgages filed without the minor's date of birth; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 485—
BY REPRESENTATIVES WALKER, DEWITT, DORSEY, JOHNS, AND
LAFLEUR AND SENATORS HINES, CHEEK, AND KOSTELKA
AN ACT

To amend and reenact R.S. 44:4.1(B)(5) and to enact R.S. 13:3715.4 and 3715.5, relative to medical malpractice; to provide for legislative findings; to provide for the confidentiality of certain information; to provide for the admissibility of certain statements by health care providers; to provide for exceptions to the Public Records Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 511—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:574.15(A)(1) and (2)(introductory paragraph), relative to violations of municipal ordinances in a municipality having a population of more than four hundred fifty thousand inhabitants; to provide that judges exercising criminal jurisdiction in district, municipal, or traffic court have the authority to fix bail for persons arrested for certain municipal violations; to prohibit elected officials from granting parole for certain violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 525—

BY REPRESENTATIVES HEATON, MARTINY, AND LAFLEUR

AN ACT

To amend and reenact R.S. 15:574.22(G)(2)(d), relative to eligibility for evaluation by the Louisiana Risk Review Panel; to provide with respect to the number of years a person convicted of a Schedule I narcotic violation must serve in actual custody to be eligible for review by the Louisiana Risk Review Panel; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 547—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 14:81.3, relative to sexual offenses affecting minors; to create the crime of computer-aided solicitation of a minor; to define the crime of computer-aided solicitation of a minor; to provide for criminal penalties; to provide for definitions; to provide with respect to defenses; to provide for an exception; to provide for the disposition of material seized in connection to this crime; to provide with respect to sex offender registration and notification requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 572—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 3:2364(B)(1) and (E), relative to the Louisiana Animal Welfare Fund; to provide relative to state funding; to provide relative to transfer and distribution of funds; to provide for maintenance of financial records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 625—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 13:2591(A) and R.S. 15:254.1(A), 254.2, 254.3, 254.4, 254.5(D), 254.6(A), 254.7, 254.8(A), and 255(A)(1) and (4), (E)(1), (4), and (5), and (G), and to enact R.S. 15:255(K), relative to witness fees paid to off-duty law enforcement officers and relative to extra compensation for certain law enforcement officers and firemen; to require local governing authorities to transmit witness fees to the employer of certain law enforcement officers; to require the Department of Public Safety and Corrections to remit the extra compensation paid by the state to the local governing authorities for payment to individual eligible employees; to require local governing authorities to be responsible for calculating and withholding certain deductions for taxes on behalf of the employee; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 784—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Children's Code Article 811.1(G)(1) and R.S. 46:1844(W)(1)(a), relative to juvenile crime victims; to provide for an exception to the provisions requiring confidentiality of the identity of juvenile crime victims; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 843

(Substitute for House Bill No. 389
by Representative Damico)—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid wastes; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 25, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To commend and congratulate Gillis and Lucille Thibodaux of Pointe-aux-Chenes, Louisiana on the occasion of their seventy-second wedding anniversary.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 25, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 343—
BY SENATOR FONTENOT**AN ACT**

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within Central City; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of Central City pursuant to intergovernmental agreement; to create a Central City Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 130—
BY SENATOR ROMERO**AN ACT**

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Senate Bills and Joint Resolutions
Returned from the House of
Representatives with Amendments**

Senator Romero asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 130—
BY SENATOR ROMERO**AN ACT**

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 130 by Senator Romero

AMENDMENT NO. 1

On page 1, after line 14, add the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Romero moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 27		

NAYS

Total - 0

ABSENT

Bajoie	Fields	Marionneaux
Broome	Heitmeier	McPherson
Cheek	Hollis	
Dardenne	Jackson	
Total - 10		

The Chair declared the amendments proposed by the House were concurred in. Senator Romero moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 25, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 870—

BY REPRESENTATIVE GRAY

AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

**HOUSE BILL NO. 878 (Substitute for House Bill No. 198
by Representative Thompson)—**

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Richland Parish; and to provide for related matters.

HOUSE BILL NO. 879 (Substitute for House Bill No. 309 by Representative Frith)—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

HOUSE BILL NO. 249—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with any permit granted by the Department of Environmental Quality or the office of conservation of the Department of Natural Resources; and to provide for related matters.

HOUSE BILL NO. 371—
BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

HOUSE BILL NO. 124—
BY REPRESENTATIVES WOOTON AND DARTEZ AND SENATORS DUPRE AND B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:302.3(B)(5)(c), relative to shrimp gear licenses; to provide for additional fees for such licenses; to provide relative to deposit and use of the revenues from such additional fees; and to provide for related matters.

HOUSE BILL NO. 188—
BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

HOUSE BILL NO. 56—
BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, WINSTON, AND SCALISE AND SENATOR BROOME

AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 91—
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Chapters 1, 2, and 3 of Title VII of Book I of the Civil Code, presently comprised of Articles 178 through 211, to be comprised of Chapters 1 and 2 of Title VII of Book I of the Civil Code, consisting of Articles 184 through 198, relative to the filiation of parents and children; to provide for the

proof of maternity and paternity; to provide for the presumptions of paternity; to provide for disavowal of paternity; to provide for the contestation of paternity; to provide for an acknowledgment of paternity; to provide for the avowal action; to provide for the exceptional action of paternity; and to provide for related matters.

HOUSE BILL NO. 562—
BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 36:704(B) and (D) and R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 715—
BY REPRESENTATIVES HOPKINS, SALTER, AND JOHNS

AN ACT

To authorize the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 755—
BY REPRESENTATIVES DARTEZ AND JACK SMITH

AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 56—
BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, WINSTON, AND SCALISE AND SENATOR BROOME

AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 91—
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Chapters 1, 2, and 3 of Title VII of Book I of the Civil Code, presently comprised of Articles 178 through 211, to be comprised of Chapters 1 and 2 of Title VII of Book I of the Civil Code, consisting of Articles 184 through 198, relative to the filiation of parents and children; to provide for the proof of maternity and paternity; to provide for disavowal of paternity; to provide for the contestation of paternity; to provide for an acknowledgment of paternity; to provide for the avowal action;

to provide for the exceptional action of paternity; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 124—

BY REPRESENTATIVES WOOTON AND DARTEZ AND SENATORS DUPRE AND B. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:302.3(B)(5)(c), relative to shrimp gear licenses; to provide for additional fees for such licenses; to provide relative to deposit and use of the revenues from such additional fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 188—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 249—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with any permit granted by the Department of Environmental Quality or the office of conservation of the Department of Natural Resources; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 371—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 562—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 36:704(B) and (D) and R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 715—

BY REPRESENTATIVES HOPKINS, SALTER, AND JOHNS
AN ACT

To authorize the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 755—

BY REPRESENTATIVES DARTEZ AND JACK SMITH
AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 870—

BY REPRESENTATIVE GRAY
AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 878 (Substitute for House Bill No. 198 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Richland Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 879 (Substitute for House Bill No. 309 by Representative Frith)—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House
ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

May 25, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To urge and request the office of alcohol and tobacco control within the Department of Revenue to aggressively enforce Louisiana's laws prohibiting the sale of cigarettes in quantities of less than twenty or in packaging which does not comply with state law.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions
on First Reading

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To urge and request the office of alcohol and tobacco control within the Department of Revenue to aggressively enforce Louisiana's laws prohibiting the sale of cigarettes in quantities of less than twenty or in packaging which does not comply with state law.

The resolution was read by title; lies over under the rules.

House Bills and Joint Resolutions
on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 10—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:7574.1, relative to beachfront development districts in Cameron Parish; to provide for the membership of the board of commissioners of Beachfront Development District No. Two of Cameron Parish; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 11, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 18—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Sixth Judicial District Court; to provide for determination of fees in all cases by the court; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 95—

BY REPRESENTATIVES GARY SMITH, MONTGOMERY, FARRAR, BURRELL, DARTEZ, FAUCHEUX, RICHMOND, AND WHITE AND SENATOR ROMERO

AN ACT

To enact R.S. 29:36.1(E), relative to members of the Louisiana National Guard; to provide for financial support of the members and their survivors; to provide that the Military Department, State of Louisiana, shall study the feasibility of reimbursing group life insurance premiums paid by members; to provide for exemption from tuition charges for the surviving spouse and minor children of any member killed while serving in certain military service; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 116—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 13:2095.2(A) and R.S. 33:1704(B), relative to the marshal of the Pineville City Court; to prohibit the marshal from collecting a fee for attempted service of process; to prohibit the marshal from collecting a mileage allowance for attempted service of process; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 166—

BY REPRESENTATIVES MCDONALD AND THOMPSON AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of the justice of the peace districts; to provide for election of justices of the peace from the new districts; to provide for the territorial jurisdiction of the justice of the peace courts if the police jury district lines are changed; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 168—

BY REPRESENTATIVES ANSARDI AND FAUCHEUX

AN ACT

To amend and reenact R.S. 13:3050(A) and to enact R.S. 13:3050(B)(5) and (H), relative to jury service; to provide for the assessment of fees in criminal cases for the operation of the Lengthy Trial Fund; to provide for the deposit of monies received in a separate account; to provide for reimbursement and forms for reimbursement; to provide for an effective date of R.S. 13:3050 as enacted by Act No. 678 of the 2003 Regular Session; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 255—

BY REPRESENTATIVE ANSARDI

AN ACT

To repeal Part VIII of Chapter 2 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:3251 through 3267, to repeal provisions relative to the Firemen's Pension and Relief Fund for the city of Kenner; to provide for disposition of monies remaining to the credit of the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 295—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Ninth Judicial District Court; to authorize the judges to establish fees per page and copy for reported and transcribed testimony not to exceed a specified amount; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 310—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 33:4562.3(C), relative to the Evangeline-Ville Platte Recreation District; to provide with respect to the composition and method of appointment of members of the board of commissioners of the district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 338—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 26:81(C) and 281(C)(1), relative to prohibitions on the location of premises licensed to deal in alcoholic beverages; to authorize a municipality to adopt an ordinance to provide for the measurement of distances from a public playground, church or synagogue, public library, school, or full-time day care center that a licensed premises in certain areas cannot be situated; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 351—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 26:90(A)(1)(b) and 286(A)(1)(b), relative to identification to be accepted to sell alcoholic beverages upon a licensed premise; to delete provisions requiring that if a duplicate driver's license is submitted, additional information must be provided; to provide that a duplicate driver's license shall be considered as lawful identification; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 379—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Chapter 17-D of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:850.1, relative to St. Bernard Parish; to create the St. Bernard Parish Arts, Culture, and Entertainment District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to district plans; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 563—

BY REPRESENTATIVE GRAY
AN ACT

To enact R.S. 33:2013, relative to the city of New Orleans; to require the fire department of such city to adopt a written policy establishing a maximum age requirement for any person hired as a fire suppression employee of the department; to provide exceptions; to provide for such maximum age requirement; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 820—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 33:130.252(A)(1) and (2)(e) and (B) and 130.261(C), to enact R.S. 33:130.261(D) and (E), and to repeal R.S. 33:130.255(A)(4), relative to the Terrebonne Economic Development Authority; to provide relative to the appointment and qualifications of members of the board of commissioners and filling board vacancies; to provide relative to the annual budget, financial reports, and expropriation powers of the authority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 853—

BY REPRESENTATIVES HUTTER AND ODINET
AN ACT

To enact Chapter 13-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91, relative to St. Bernard Parish; to create the St. Bernard Parish Housing, Redevelopment and Quality of Life Commission; to provide for the formation of a program by St. Bernard Parish for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas in accordance with redevelopment plans or projects approved by the local governing body; to define the duties, liabilities, authority, and functions of such redevelopment commission, including the acquisition of property by purchase, gift, expropriation, or otherwise; to authorize the commission to levy and collect ad valorem and sales and use taxes, subject to voter approval; to dispose of property by sale or lease; to issue bonds, borrow money, and give security therefor; to provide for notice and hearing; to enter into agreements to secure federal aid; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; to provide for tax exemptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To authorize and request a divided vote Medicare referendum option for state employees who are members of any state or statewide retirement system and who were hired before April 1, 1986.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE TRICHE
A CONCURRENT RESOLUTION

To direct the office of motor vehicles to implement a pilot program for one year to test a four ten-hour day work week and hours of operation for its offices that provide services to the public and that such pilot program be implemented in half of its offices by July 1, 2005.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER**A CONCURRENT RESOLUTION**

To memorialize the Base Closure and Realignment Act Commission to favorably consider the "federal city concept" for expanding the Naval Support Activity military installation on the west bank of the Mississippi River in New Orleans by consolidating the Navy, Marine, and Army flag/general commands in the New Orleans area, moving in the 8th Coast Guard District headquarters, and possibly housing a new regional Homeland Security headquarters at the renovated military installation.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, GARY SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Charles C. Foti, Sr.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Malone
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	Hollis
Bajoie	Marionneaux
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To recognize Wednesday, June 1, 2005, as the fourth annual 4-H Day at the Louisiana State Capitol.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Malone
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	Hollis
Bajoie	Marionneaux
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Laurion Hillary Morris, Miss Slidell Teen Princess 2005, upon her outstanding accomplishments.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Malone
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	Hollis
Bajoie	Marionneaux
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 141—

BY SENATORS ROMERO AND HINES
AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide for trucks hauling sugarcane; to remove the prohibition on the issuance of special permits to owners or operators of vehicles hauling sugarcane who have not added an additional single axle to their sugarcane trailers beginning August 1, 2008; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 84—

BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to approve funding for deepening the Houma Navigation Canal, including funding efforts to make beneficial use of the dredge material for embankment stabilization.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE PITRE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to grant permission to the Lafourche Parish governing authority to install and maintain, at the parish's expense, flashing red lights above stop signs at certain intersections along Louisiana Highway 3235 in Ward 10 of Lafourche Parish..

Reported favorably.

HOUSE BILL NO. 279—

BY REPRESENTATIVE BAYLOR
AN ACT

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

Reported favorably.

HOUSE BILL NO. 372—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:388(B)(1)(b) and (c) and (C) through (F) and to enact R.S. 32:388(G), relative to penalties for overweight and oversized vehicles; to prohibit certain exceptions for overweight and over-axle penalties from being

applied to violations which occur on the interstate system; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 387—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2325(A)(16), 2327.2, and 2327.3, relative to establishing a law enforcement division for the Sabine River Authority; to authorize the board of commissioners of the Sabine River Authority to employ law enforcement officers; to provide for the qualification, responsibilities, and duties of such law enforcement officers; to require law enforcement officers to execute a bond; to require the purchase of certain equipment and supplies; to provide relative to violation of certain rules and regulations; to provide relative to penalties for violations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 464—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:361.2(A)(2)(d) and to enact R.S. 15:587(A)(1)(d), relative to motor vehicle safety equipment; to provide relative to medical exemptions to window tinting regulations; to require applicants for such exemptions to consent to the release of criminal history records and identification files under certain circumstances; to require the release of such information to law enforcement agents under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 569—

BY REPRESENTATIVE BAUDOIN
AN ACT

To enact R.S. 47:463.129, relative to motor vehicle prestige license plates; to provide for the creation of a Ladies Auxiliary, V. F. W. prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 595—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to clarify the powers of the Sabine River Authority to enter into certain contracts and agreements; to provide for an effective date; to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the office of state parks, Department of Culture, Recreation, and Tourism, in coordination with the Department of Wildlife and Fisheries, to conduct a feasibility study to determine if the area in or around the Maurepas Swamp Wildlife Management Area (WMA) is suitable for a state park.

Reported favorably

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To approve the Fiscal Year 2005-2006 Coastal Wetlands Conservation and Restoration Plan, as adopted by the Wetlands Conservation and Restoration Authority ("authority").

Reported favorably

HOUSE BILL NO. 100—

BY REPRESENTATIVE FANNIN

AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish from the Department of Transportation and Development to the town of Chatham; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 302—

BY REPRESENTATIVE WOOTON

AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 331—

BY REPRESENTATIVES HILL AND FRITH

AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 344—

BY REPRESENTATIVE MCVEA

AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 448—

BY REPRESENTATIVES HOPKINS AND SALTER

AN ACT

To amend and reenact R.S. 40:1149, relative to certified operators of water systems; to exempt certain systems from operation and on-site premises requirements; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 475—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 494—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:320(A)(1), relative to use of certain recreational fishing gear; to clarify areas of the state where wire nets and hoop nets may be used for recreational fishing; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman

NICK GAUTREAUX
Vice Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 288—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S.33:4720.52(A)(1) and (B), 4720.53, 4720.56(7) through (17), 4720.57(A), 4720.59(D)(5) and (E)(2) through (4), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), 4720.71(7), (9)(introductory paragraph) and (9)(a), (d), (f), and (g) and to enact R.S. 33:4720.56(18), 4720.59(E)(5) and (6), 4720.61(B)(5) and (O) and 4720.72, relative to the New Orleans Community Improvement Act; to authorize the issuance of revenue bonds; to provide for additional authority and powers; to provide for the purposes to be liberally construed; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 241—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 33:4574(B)(18) and 4574.1.1(A)(18), relative to Lincoln Parish; to change the name of the parish tourist commission; to authorize the parish tourist commission to increase the hotel occupancy tax; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 253—

BY REPRESENTATIVES BURNS AND SCHNEIDER

AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

Reported favorably.

May 26, 2005

HOUSE BILL NO. 398—
BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 512—
BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Nevers, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 98—
BY SENATOR CRAVINS

AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 443—
BY REPRESENTATIVES CURTIS AND HUNTER

AN ACT

To enact R.S. 23:1539.1, relative to unemployment insurance; to provide for authority to prohibit employing units from avoiding the payment of state unemployment taxes, commonly referred to as "SUTA Dumping"; to provide meaningful penalties for avoiding the payment of state unemployment taxes; to provide for rules; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 482—
BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact R.S. 23:1474(B), (C), (D), (F)(1), (G)(3), and (I), 1535, 1536(D)(3), and 1553(B)(6), (7)(b), (8), (9)(b), (10), and (11)(b), relative to unemployment compensation; to provide for fluctuation of the benefit amount based upon the applied balance of the state unemployment trust fund; to provide for fluctuation of wages upon which contributions are paid based upon the applied balance of the state unemployment trust fund; to provide for the tax rate table; to provide for an appropriation for customized training and administrative costs in the social charge recoupment account based in the applied balance of the state unemployment trust fund; to delete the provision relative to the new employer tax rate table; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BEN NEVERS
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 126—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 45:844.50(A) and to enact R.S. 45:844.56, relative to public utilities and carriers relationship with local government; to require a local referendum before a local governing authority can provide certain telecommunications services; to provide for the impact of a local governing authority providing covered services on certain existing obligations; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 126 by Senator Broome

AMENDMENT NO. 1

On page 1, at the end of line 14 after "services." insert the following:
"An election held for authorization to issue bonds to finance the provision of covered services pursuant to any law of this state, and held before engaging or offering to engage in providing the proposed covered services, shall be sufficient to satisfy the requirements of this Section."

AMENDMENT NO. 2

On page 2, delete lines 15 through 17 in their entirety

AMENDMENT NO. 3

On page 2, between lines 17 and 18 insert the following:

"D. The suspension of obligations of other persons established by Subsections (A), (B), and (C) of this Section shall not apply to any obligation of such other person with a local governing authority that has held an election pursuant to R.S. 45:844.50(A)."

On motion of Senator Michot, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 253—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:2742(B)(1), (2), (4), (5)(a), (b) and (c), (6) and (8) and to enact R.S. 46:2742(B)(5)(d) and (10) and (C), relative to the case mix reimbursement for nursing facilities; to require payment and resource requirement be adjusted quarterly; to provide for a floor for direct care costs; to provide relative to square footage per bed to be allowed; to provide relative to depreciation and a minimum rate of return for facilities; to provide relative to renovations, long-term ownership, and property insurance; to provide relative to pass-through expenses, allowable costs and impact of budget reductions on nursing home reimbursement; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 253 by Senator Cheek

AMENDMENT NO. 1

On page 2, line 16, after "**of the**" insert "**median of the**"

AMENDMENT NO. 2

On page 2, line 20, after "**the**" insert "**median of the**"

AMENDMENT NO. 3

On page 2, line 23, after "**the**" and insert "**median of the**"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 59—BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 37:367, relative to issuance of certain certificates of registration; to prohibit the listing of complete social security numbers on the certificates of registration for barbers and instructors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 67—BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:793(A)(1)(d) and (2)(a), (B)(1), (2), and (3), (C), (D)(1), (2) (introductory paragraph) and (c), (E), (F), (G)(1), and (H), to enact R.S. 37:793(B)(4) and (5), and to repeal R.S. 37:793(A)(1)(i), relative to enteral conscious sedation; to provide for changes in definitions; to provide for enteral conscious sedation to be performed on patients of all ages; to clarify the circumstances in which a permit is necessary; to require written reporting; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 118—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 118 by Representative White

AMENDMENT NO. 1

On page 1, line 11 after "employer" insert the following:

"; however, nothing herein shall be construed to authorize peace officers to employ non-commissioned peace officers to perform any private security functions as defined in this Subsection"

On motion of Senator Michot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 164—

BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact R.S. 22:1262.1(G) and to repeal R.S. 22:1262.1(F)(2), relative to surplus lines insurance; to provide for notice of removal from approved list; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 203—

BY REPRESENTATIVES FAUCHEUX AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(b) and to enact R.S. 22:250.2(E)(2)(a)(iv) and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent previously enrolled in the Louisiana Children's Health Insurance Program; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana State University Health Sciences Center; to authorize establishment of unclassified health care professional employee pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 365 by Representative Dorsey

AMENDMENT NO. 1

On page 3, line 4, after "Commission" delete "of unclassified status for" and insert "and notification to AFSCME Louisiana Council 17."

AMENDMENT NO. 2

On page 3, line 5, delete "such position" and insert "Approved unclassified pool positions shall not exceed ten-percent of full-time equivalencies in any approved category without approval of the state Department of Civil Service and concurrence of AFSCME Louisiana Council 17."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 402—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1136(B)(1), relative to business entities as insurance producers; to provide for notices; to provide for change of status; to provide for branch locations; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 403—

BY REPRESENTATIVES WADDELL AND PINAC

AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 408—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:289, relative to executive officers and employees; to provide for loan restrictions; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 490—

BY REPRESENTATIVES WADDELL, PINAC, JOHNS, AND THOMPSON

AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to the State Licensing Board for Contractors; to provide for donations to public university or community college foundations by contractors; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 490 by Representative Waddell

AMENDMENT NO.1

On page 1, between lines 20 and 21 insert the following:

"(c) For purposes of this Paragraph, "foundation" shall mean any private nonprofit corporation which supports public higher education institutions as defined by R.S. 17:3390."

On motion of Senator Michot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 558—

BY REPRESENTATIVE LABRUZZO

AN ACT

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; to provide for exemptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 561—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 22:1193(E) and 2092.3, relative to title insurance agents; to require continuing education for renewal of licensure; to provide for domicile of agents; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 561 by Representative Lancaster

AMENDMENT NO.1

On page 1, line 2, delete "and 2092.3"

AMENDMENT NO. 2

On page 1, line 3, delete "to provide for domicile of agents;"

AMENDMENT NO. 3

On page 1, line 6, change "and 2092.3 are" to "is"

AMENDMENT NO. 4

On page 2, delete lines 1 through 9 in their entirety.

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 645—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 6:255 and R.S. 12:57 and to enact R.S. 6:257 and R.S. 12:59, relative to shares of stock; to provide for shares without stock certificates; to provide for transfer of shares; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 653—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 22:1193(L), relative to continuing education for licensed insurance producers; to provide for title insurance agents; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 696—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3578.6(A)(8), relative to the Louisiana Deferred Presentment and Small Loan Act; to provide for prohibited acts; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATOR DUPLESSIS

AN ACT

To enact Part XII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; to provide for the use of fee proceeds; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 749 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 20, after "board-certified" insert ", or board eligible"

AMENDMENT NO. 2

On page 2, between lines 13 and 14, insert the following:

"(8) A clinic shall be operated by a medical director who shall be a physician licensed to practice medicine by the Louisiana State Board of Medical Examiners."

"(9) The department license is non-transferable."

AMENDMENT NO. 3

On page 2, line 19, after "board certified" insert ", or board eligible"

AMENDMENT NO. 4

On page 2, line 28, after "primary" delete "or" and insert "and"

AMENDMENT NO. 5

On page 3, line 5, after "board certified" insert ", or board eligible"

AMENDMENT NO. 6

On page 3, line 7, after "board certified" insert ", or board eligible"

AMENDMENT NO. 7

On page 3, between lines 8 and 9, insert the following:

"(E) Nothing in this Section shall be construed to require a pain management clinic after July 1, 2005 to operate as an urgent care facility offering primary and acute health services in addition to caring for those with chronic pain."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 763—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 51:422.1, relative to unfair sales; to provide for the application of unfair sales provisions to the sale of motor fuel; to provide for exemptions; to provide for maintenance of records; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 601 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 601—

BY REPRESENTATIVES SALTER, MONTGOMERY, ST. GERMAIN, ARNOLD, BALDONE, CURTIS, FAUCHEUX, HILL, HONEY, KENNEY, ODINET, JANE SMITH, AND TOWNSEND

AN ACT

To enact R.S. 47:359(K), relative to the occupational license tax; to provide by which the occupational license tax is assessed on pharmacies; to provide for the amount of the tax; to provide for an effective date; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 127, was read by title and referred to the Legislative Bureau.

Senator Ellington in the Chair

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hines asked that Senate Resolution No. 42 be called from the Calendar at this time.

SENATE RESOLUTION NO. 42—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Levi B. Kinchen upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 3—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 51:1787(I) and to enact R.S. 47:1561.2(A)(4) and R.S. 51:2457(D), relative to tax credit and rebate incentives; to require audits of certain credits and incentives; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 32		

NAYS

Kostelka
Total - 1

ABSENT

Bajoie	Hollis
Dupre	Marionneaux
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 26—
BY SENATORS MCPHERSON AND HINES
AN ACT

To enact R.S. 47:293(6)(a)(i), relative to individual income tax; to provide a deduction for certain expenses related to living organ donation; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 26 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:293(6)(a)(i)" to "R.S. 47:297(N)" and change "deduction" to "credit"

AMENDMENT NO. 2

On page 1, line 3, change "expenses" to "amounts"

AMENDMENT NO. 3

On page 1, line 5, change "R.S. 47:293(6)(a)(i)" to "R.S. 47:297(N)"

AMENDMENT NO. 4

On page 1, delete lines 6 through 17, and on page 2, delete lines 1 through 5, and insert:

"§297. Reduction to tax due

* * *

N.(1) There shall be allowed a credit against individual income tax due in a taxable year equal to the following amounts incurred by a taxpayer during his tax year if related to the taxpayer's travel or absence from work because of a living organ donation by the taxpayer or the taxpayer's spouse:

(a) The unreimbursed cost of travel paid by the taxpayer to and from the place where the donation operation occurred.

(b) Unreimbursed lodging expenses paid by the taxpayer.

(c) Wages or other compensation lost because of the taxpayer's absence during the donation procedure and convalescence.

(2) The credit provided for by this Section shall not exceed ten thousand dollars per organ donation. It shall be allowed against the income tax for the taxable period in which the credit is earned. If the tax credit exceeds the amount of such taxes due, then any unused credit may be carried forward as a credit against subsequent tax liability for a period not to exceed ten years."

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Dupre	Hollis	Marionneaux
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 59—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 47:297.4 and to repeal R.S. 47:297.2, relative to state income tax credits; to provide for the child care and dependent care expense credits and their calculation; and to provide for related matters.

On motion of Senator Duplessis, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 96—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:1705(B), 1987, and 1992(A)(1), relative to notices related to ad valorem property taxes; to provide for the notice to be given to taxpayers concerning

certain property tax assessments and increases in millage rates without voter approval; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 96 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 12, change "**holds**" to "**proposes to hold**"

AMENDMENT NO. 2

On page 2, line 14, after "**notice of the**" insert "**date,**" and after "**time**" insert a comma ","

AMENDMENT NO. 3

On page 3, line 4, change "**enactment**" to "**adoption**"

AMENDMENT NO. 4

On page 3, line 5, change "**levy**" to "**adoption**" and at the end of the line insert the following:

"(vi) Each tax recipient body required to publish public notice pursuant to this Subparagraph shall also provide to the assessor in its parish or district as the case may be, the date, time and place of its pending hearing. Each assessor shall maintain a list of each of the pending hearing dates in his parish or district as the case may be and may publish such hearing dates on his website."

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Dupre	Hollis	Marionneaux
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 104—

BY SENATOR ADLEY

AN ACT

To amend and reenact the introductory paragraph of R.S. 51:2452(A) and 2453(2)(f)(i), relative to the Louisiana Quality Jobs Program Act; to provide an additional category for inclusion in the Louisiana Quality Jobs Program Act; to allow physician-based industries to participate in the Louisiana Quality Jobs Program Act; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 108—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:1705(B), relative to information provided regarding millage rates; to require certain notice to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 108 by Senator Adley

AMENDMENT NO. 1

On page 2, line 11, change "**holds**" to "**proposes to hold**"

AMENDMENT NO. 2

On page 2, line 13, after "**notice of the**" insert "**date,**" and after "**time**" insert a comma ","

AMENDMENT NO. 3

On page 3, line 3, change "**enactment**" to "**adoption**"

AMENDMENT NO. 4

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On page 3, line 4, change "**levy**" to "**adoption**" and at the end of the line insert the following:

"(vi) Each tax recipient body required to publish public notice pursuant to this Subparagraph shall also provide to the assessor in its parish or district as the case may be, the date, time and place of its pending hearing. Each assessor shall maintain a list of each of the pending hearing dates in his parish or district as the case may be and may publish such hearing dates on his website."

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 120— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:293(6)(a)(i), relative to income tax deductions; to phase-in a deduction for certain medical and dental expenses; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 127— BY SENATOR HINES

AN ACT

To enact R.S. 47:359(K), relative to occupational license taxes; to provide for the tax imposed on pharmacies where eighty percent of gross revenues of the business comes from the filling of prescription drugs; to provide for the pharmacy license to be based on gross sales of the total business activity with a minimum tax of fifty dollars and a maximum tax of two thousand dollars; to provide for an effective date; and to provide for related matters.

On motion of Senator Hines, the bill, which is a duplicate of House Bill No. 601 was read by title and returned to the Calendar, subject to call.

Senator Bajoie in the Chair

SENATE BILL NO. 136— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:1125.1(A) and (D), relative to tax credits; to provide for an extension of certain employment tax credits and make them transferable; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Smith
Chaisson	Jackson	Theunissen
Cheek	Jones	Ullo
Cravins	Kostelka	
Dardenne	Lentini	
Total - 34		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux	Schedler
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 164— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to provide for the date upon which the homestead may be claimed; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Romero
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Bajoie Marionneaux
Hollis Schedler

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 193—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 47:115(A)(3) and (C) and 1624 (A), relative to individual income tax; to provide for the payment of interest on credited overpayments; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 193 by Senator Fields

AMENDMENT NO. 1

On page 2, line 11 after "**in the case of a**" insert "**refundable**"

AMENDMENT NO. 2

On page 3, at the beginning of line 4 after "**of a**" insert "**refundable**"

AMENDMENT NO. 3

On page 3, line 19 after "**in the case of a**" insert "**refundable**"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Fields moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Hollis Marionneaux

Total - 2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 273—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 27:28(H)(1) and to enact R.S. 27:28(H)(3), relative to the Louisiana Gaming Control Law; to provide with respect to suitability standards; to provide for an appeal process for a person found by the board to exercise significant influence over a licensee, permittee, or casino gaming operator; to provide for procedures for filing such appeal; to provide for a procedure for taking administrative action against a licensee, permittee, or casino gaming operator associated with a person found to be unsuitable; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	McPherson
Bajoie	Gautreaux N	Murray
Cravins	Heitmeier	Theunissen
Duplessis	Jackson	
Ellington	Jones	
Total - 13		

NAYS

Adley	Dardenne	Mount
Amedee	Dupre	Nevers
Barham	Fontenot	Romero
Boasso	Kostelka	Schedler
Broome	Lentini	Smith
Cain	Malone	Ullo
Cheek	Michot	
Total - 20		

ABSENT

Chaisson	Hollis
Fields	Marionneaux
Total - 4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator McPherson, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 317—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(o), relative to fees paid by parolees for parole supervision costs; to provide for waiver of the supervision fee amount under certain circumstances; to provide terms and conditions; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dardenne	Jones
Boasso	Duplessis	Kostelka
Broome	Dupre	McPherson

Cain
Chaisson
Cheek
Cravins
Total - 19

Fields
Fontenot
Gautreaux N
Jackson

Mount
Murray

NAYS

Adley
Amedee
Barham
Ellington
Gautreaux B
Total - 14

Heitmeier
Lentini
Malone
Michot
Nevers

Romero
Smith
Theunissen
Ullo

ABSENT

Mr. President
Hollis
Total - 4

Marionneaux
Schedler

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Duplessis, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, she would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 322— BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6020, relative to income tax credits; to provide relative to environmental economic development incentives; to provide for income tax credits for brownfields investors; to provide for definitions; to provide for certification of such brownfields projects; to provide for the administration, amount, eligibility, use, and other transactions of such credits; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 322 by Senator Fontenot

AMENDMENT NO.1

On page 7, line 11, change "Civil Code Article 2924(B)(1)" to "R. S. 9:3500(B)(1)"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 322 by Senator Fontenot

AMENDMENT NO.1

On page 4, at the beginning of line 15, after "Department of Economic Development" insert "and the Board of Commerce and Industry"

AMENDMENT NO. 2

On page 4, line 16, after "Department of Economic Development" insert "and the Board of Commerce and Industry"

AMENDMENT NO. 3

On page 4, at the end of line 20, delete "Department" and insert "Board" and on line 21, delete "Economic Development" and insert "Commerce and Industry"

AMENDMENT NO. 4

On page 5, line 3, after "Department of Economic Development" insert ", the Board of Commerce and Industry,"

AMENDMENT NO. 5

On page 5, line 22, after "Department of Economic Development" insert ", the Board of Commerce and Industry,"

AMENDMENT NO. 6

On page 6, line 21, delete "Department of Economic Development" and insert "Board of Commerce and Industry,"

AMENDMENT NO. 7

On page 6, line 22, after "Department of Environmental Quality" insert ", the Department of Economic Development,"

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Cheek	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Chaisson	Hollis
Cravins	Marionneaux
Total - 4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 331—

BY SENATOR N. GAUTREAU

AN ACT

To enact R.S. 47:301(10)(y) and (18)(k) and to repeal R.S. 47:305(A)(5), relative exemptions from sales and use tax levied by the state; to provide an exclusion from such tax for certain transactions related to crawfish harvesting and production; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 331 by Senator N. Gautreaux

AMENDMENT NO.1

On page 1, line 2, at the end of the line insert "to"

AMENDMENT NO. 2

On page 1, line 7, change "is" to "are"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator N. Gautreaux moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Kostelka
Adley	Duplessis	Malone
Amedee	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux B	Nevers
Cain	Gautreaux N	Romero
Chaisson	Heitmeier	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Total - 33		

NAYS

Lentini
Total - 1

ABSENT

Hollis	Marionneaux	Schedler
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 337—

BY SENATORS ELLINGTON AND NEVERS
AN ACT

To enact R.S. 47:301(7)(j), (10)(y) and (z), and (18)(k) and (l), relative to exclusions from the sales and use tax of the state and political subdivisions of the state; to provide for an exclusion from state sales tax for certain property used in the manufacture, production, or extraction of unblended biodiesel; to provide for an exclusion from the sales and use tax of the state for certain fuels; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 337 by Senator Ellington

AMENDMENT NO.1

On page 1, line 2, change "relative to" to "and to repeal R. S. 47:305, relative to"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Smith
Chaisson	Jackson	Theunissen
Cheek	Jones	Ullo
Cravins	Kostelka	
Dardenne	Lentini	
Total - 34		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux	Schedler
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 341—

BY SENATOR DUPLESSIS AND REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:6020, relative to the Louisiana digital interactive media producer tax credit; to provide for a sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures for the credit; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 341 by Senator Duplessis

AMENDMENT NO.1

On page 6, line 28, change "Civil Code Article 2924(B)(1)" to "R. S. 9:3500(B)(1)"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Duplessis moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero

May 26, 2005

Chaisson
Cheek
Dardenne
Total - 33

Jackson
Jones
Kostelka

Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Cravins
Hollis
Total - 4

Marionneaux
Schedler

The Chair declared the amended bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 351— BY SENATOR NEVERS

AN ACT

To enact R.S. 47:287.759, relative to tax credits; to provide certain tax credits to certain contractors and subcontractors who provide certain insurance; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 34

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka
Malone

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Lentini
Total - 1

ABSENT

Hollis
Total - 2

Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 351. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Cravins asked that Senate Bill No. 185 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 185— BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 185 by Senator Cravins

AMENDMENT NO.1

On page 1, line 13, after "**who**" insert "**was employed by such state agency on or after January 1, 2002, but no later than March 29, 2004, who**"

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Cravins moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 35

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka
Lentini

Malone
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Hollis
Total - 2

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 146 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 146— BY SENATORS BAJOIE AND MCPHERSON

AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to provide for legislative finding; to limit the sale of certain beverages and foods at schools during specified portions of the day; to require

certain decisions be made by school principals; and to provide for related matters.

Motion

On motion of Senator Bajoie, Senate Bill No. 146 was made Special Order of the Day No. 3 on Wednesday, June 1, 2005, immediately following the Morning Hour.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that House Bill No. 506 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 506—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 35:392.1(B), relative to ex officio notaries public; to provide for the authority of a clerk of court and deputy clerk of court as ex officio notaries public; to remove provisions relative to the validity of documents notarized within the course and scope of employment; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 506 by Representative John Smith

AMENDMENT NO. 1

On page 1, line 4, delete lines 4 and 5, and insert: "public; to provide for the validity of documents notarized by such ex officio notaries; and to provide for related matters."

AMENDMENT NO. 2

On page 1, after "notarized" delete the remainder of the line, and delete lines 13 and 14, and insert: "within the course and scope of their employment with the office of clerk of court. However, nothing in this Section shall prohibit such clerks and deputy clerks from notarizing vehicle titles or acknowledging the signatures on authentic acts even if such authentic acts are not within the course and scope of their employment."

On motion of Senator Barham, the amendments were adopted.

The bill was read by title. Senator Barham moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot

Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Dardenne
Duplessis
Total - 34

Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka
Lentini
Malone

Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Cravins
Total - 3

Hollis

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Cravins asked that House Bill No. 768 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 768—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 14:327(A), (B), and (C), relative to obstructing a fireman; to provide for the definition of a fireman; to increase penalties for obstructing a fireman; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Barham
Broome
Chaisson
Cheek
Cravins
Dardenne
Total - 24

Duplessis
Dupre
Ellington
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Kostelka

Lentini
McPherson
Michot
Murray
Nevers
Romero
Theunissen
Ullo

NAYS

Amedee
Bajoie
Boasso
Cain
Total - 11

Fields
Fontenot
Jones
Malone

Mount
Schedler
Smith

ABSENT

Hollis
Total - 2

Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 26, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVE BRUNEAU****A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of former 4th Circuit Court of Appeal Chief Judge William V. Redmann and to recognize his outstanding contributions to the city of New Orleans and the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVE MARCHAND****A CONCURRENT RESOLUTION**

To recognize June 1, 2005, as Alpha Day at the Legislature of Louisiana and to commend the Alpha Kappa Alpha Sorority, Incorporated and the Alpha Phi Alpha Fraternity, Incorporated for their service.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVE BRUNEAU****A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of former 4th Circuit Court of Appeal Chief Judge William V. Redmann and to recognize his outstanding contributions to the city of New Orleans and the state of Louisiana.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVE MARCHAND****A CONCURRENT RESOLUTION**

To recognize June 1, 2005, as Alpha Day at the Legislature of Louisiana and to commend the Alpha Kappa Alpha Sorority, Incorporated and the Alpha Phi Alpha Fraternity, Incorporated for their service.

The resolution was read by title; lies over under the rules.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 103—
BY SENATOR SMITH****A RESOLUTION**

To commend and congratulate the Calvin High School softball team on winning the 2005 Class C state softball championship.

On motion of Senator Smith, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 104—
BY SENATOR BARHAM****A RESOLUTION**

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of former State Senator J. D. De Blieux upon his death.

On motion of Senator Barham, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 79—
BY SENATOR DUPRE****A CONCURRENT RESOLUTION**

To urge and request the United States Department of Veterans Affairs to reopen enrollment at the new Veterans Affairs Community Based Outpatient Clinic.

The resolution was read by title. Senator Dupre moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

House Bills and Joint Resolutions

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

May 26, 2005

Message from the House
ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 26, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

HOUSE BILL NO. 2—
 BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
 AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
 AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

HOUSE BILL NO. 3—
 BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
 AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
 AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

HOUSE BILL NO. 842—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 461—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 836—
 BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT,
 LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS
 CHAISSON, HINES, LENTINI, AND MARIONNEAUX
 AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Respectfully submitted,
 ALFRED W. SPEER
 Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 1—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

On motion of Senator Heitmeier, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 2—
 BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
 AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
 AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 3—
 BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
 AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
 AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 842—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 461—
 BY REPRESENTATIVES ALARIO AND TRICHE
 AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and referred to the Committee on Finance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study and manage a master planning process using research, data analysis, community input and experience to recommend programs, site design, and development plans for the creation of the Northeast Louisiana Delta Learning Center.

Reported favorably.

SENATE BILL NO. 214—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 17:24.4(F)(3), relative to alternative assessments for students with certain disabilities; to require the Department of Education with the approval of the State Board of Elementary and Secondary Education to provide alternative assessments for students with persistent academic disabilities; to provide for minimum accommodations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 234—

BY SENATOR ULLO

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(B)(2), R.S. 17:3048.1(B)(2)(a), (b), and (c), (P)(1)(b), (Q)(1)(c), and (V)(1)(b) and to enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for Students; to provide relative to the eligibility requirements for a TOPS-Tech Award for certain students; to provide for a TOPS-Tech Early Start Award; to provide for eligibility and continuation requirements for such award; to provide for the administration and implementation of such award program; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 264—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 17:427.4 and R.S. 23:1514(A)(1) and (B)(8) and to enact R.S. 17:427.5, relative to public schools and school children; to benefit schools and children by encouraging

the availability of certified teachers; to provide for programs designed to provide incentives for certified classroom teachers to work in certain schools in disadvantaged geographical areas; to provide for the pledge, dedication, and use of funds from the worker training fund in the employment security administration fund; to provide worker training for certain school employees of certain public school boards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 777—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the development of certain curricular elements; to provide relative to inclusion of certain topics; to require the inclusion of the topic of adoption awareness in certain course material; to provide for definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS FIELDS AND SMITH AND REPRESENTATIVE CURTIS
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Ben DeLoache Johnson and to pay tribute to his significant contributions to his community.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bill has been properly enrolled:

SENATE BILL NO. 130—
BY SENATOR ROMERO

AN ACT

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bill was signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 26, 2005

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 54— (Duplicate of House Bill No. 266)

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 38:3086.22(A) and 3086.23(A), (B), and (C), relative to the Bayou Lafourche Fresh Water District; to provide for expanding the jurisdiction of the district; to authorize the inclusion of Terrebonne Parish within the district subject to approval of the governing authority and the voters of the parish; to provide for the composition of the board if the jurisdiction is expanded; and to provide for related matters.

SENATE BILL NO. 307— (Duplicate of House Bill No. 776)

BY SENATOR MURRAY AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 39:1351(A) and (B), 1352, 1353, and 1354, and to enact R.S. 17:10.1(C), relative to fiscal administrators for political subdivisions; to provide relative to the authority to seek the judicial appointment of a fiscal administrator for political subdivisions; to provide for the authority of the State Board of Elementary and Secondary Education to define certain circumstances applicable to city, parish, and other local public school systems; to provide relative to the appointment of a fiscal administrator; to provide relative to the duties, authority, and termination of the authority of such fiscal administrator; and to provide for related matters.

SENATE BILL NO. 167— (Duplicate of House Bill No. 362)

BY SENATOR AMEDEE AND REPRESENTATIVE QUEZAIRE AND COAUTHORED BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 38:326.1(C) and to enact R.S. 38:326.1(E), relative to the Lafourche Basin Levee District; to authorize the district to contract for certain law enforcement services with sheriffs' offices within the boundaries of the levee district; and to provide for related matters.

SENATE BILL NO. 258—

BY SENATOR KOSTELKA AND REPRESENTATIVE JOHNS AND COAUTHORED BY SENATORS BAJOEI, MOUNT AND SCHEDLER AND REPRESENTATIVES SALTER, ALARIO, DORSEY AND HAMMETT

AN ACT

To amend and reenact R.S. 13:5106(B)(1) and (2), relative to the Louisiana Governmental Claims Act; to provide relative to limitations of liability for the state and political subdivisions; to provide for liability for damages for personal injury and wrongful death; to provide for legislative intent; and to provide for related matters.

SENATE BILL NO. 130—
BY SENATOR ROMERO

AN ACT

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Hollis 1 Day Marionneaux 1 Day

Adjournment

Senator Boasso moved that the Senate adjourn until Tuesday, May 31, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, May 31, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk